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11 *Attorneys for Defendant Narconon Fresh*  
12 *Start dba Rainbow Canyon Retreat ("Fresh Start")*

13 UNITED STATES DISTRICT COURT  
14 FOR THE DISTRICT OF NEVADA  
15

16 DAVID WELCH, a Texas Citizen; STACY  
17 WELCH, a Texas Citizen; and JACK WELCH,  
a Texas Citizen,

18 Plaintiffs,

19 vs.

20 NARCONON FRESH START d/b/a  
21 RAINBOW CANYON RETREAT, a  
California Corporation; ASSOCIATION FOR  
22 BETTER LIVING AND EDUCATION  
INTERNATIONAL; NARCONON  
23 INTERNATIONAL  
and DOES 1-100, ROE Corporations I-X,  
24 inclusive,

25 Defendants.

CASE NO. 2:14-cv-00167-JCM-CWH  
Dept. No.: 3

**STIPULATION REGARDING  
DOCUMENTS PRODUCED BY THE  
RIGHT STEP IN RESPONSE TO  
SUBPOENA**

26  
27 THE RIGHT STEP was served with a Subpoena dated April 6, 2015, to testify at deposition  
28 and to produce documents in a civil action in connection with the above-captioned matter.

Specifically, THE RIGHT STEP was commanded to produce specific documents and to designate one or more representative to testify on its behalf in conformity with the following:

Testimony: you are commanded to appear at the time, date, and place set forth in the *Subpoena to Testify at a Deposition or to Produce Documents in a Civil Action* to testify at a deposition to be taken in this civil action. Since The Right Step is *not* a named party in this case, The Right Step must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on its behalf about the following matters:

Person(s) Most Knowledgeable Regarding:

1. **The Right Step's success rate.** This includes, but is not limited to, what the success rate was for the inpatient rehabilitation program for the past five years, the current success rate, how The Right Step defines "success", the method in which The Right Step determines its success rate (i.e. how The Right Step calculates its success rate, etc.), the length of time The Right Step follows up with former patients to determine their sobriety status, analysis on The Right Step's success rate (if any), comparison of The Right Step's success rate with other rehabilitation programs (if any), the reliability of The Right Step's success rate, advertising of The Right Step's success rate.
2. **The content of the treatment program Jack Welch aka Jacob Hudkins aka Jack Hudkins aka Jacob Welch (DOB:04.18.1994) was enrolled at The Right Step.** This includes, but is not limited to, any and all references to a "higher power", how The Right Step defines a "higher power", the education/instruction/information patients are provided regarding a "higher power", and why a "higher power" is incorporated into The Right Step program; programs/groups/meetings which incorporate spiritual and/or religious aspects, i.e. meditation, yoga, individual prayer, group prayer, or others; all aspects of "spirituality awareness" activities (as advertised on [www.rightstep.com](http://www.rightstep.com)); religious accommodations made available to patients, i.e. transportation to a church of their choosing, dedicated prayer time, or other accommodations; fundamentals of the 12-step program which The Right Step utilizes that are based upon religious aspects and the reasons for incorporating them into the program.

Production: The Person(s) Most Knowledgeable designated by The Right Step to testify with respect to the above-listed subject areas, must also bring with him/her/them to the deposition, any and all documents, electronically stored information, or objects, and/or permit their inspection, copying, testing or sampling of the material, all documents relied upon in testifying regarding the above-listed subject areas. This includes documents utilized in preparing to testify and which support the deponent's testimony.

On March 17, 2015, THE RIGHT STEP served FRESH START with its Objections of Third Party The Right Step to Defendant Narconon Fresh Start's Subpoena to Testify at a Deposition or to

1 Produce Documents in a Civil Action. **Exhibit A.** Notwithstanding said objections, THE RIGHT  
2 STEP will produce responsive documents and testimony.

3 On February 6, 2015, the parties (Plaintiffs and Defendants) entered into a Stipulated  
4 Protective Order governing production of documents and testimony. The Court so ordered the  
5 parties (Plaintiffs and Defendants) to be bound by the Stipulated Protective Order on February 9,  
6 2015. (Doc. 76). **Exhibit B.**

7 THE RIGHT STEP, a non-party, in producing documents in response to the aforementioned  
8 Subpoena, requires that its documents be treated confidentially.

9 WHEREFORE IT IS HEREBY **STIPULATED AND AGREED** by and between the  
10 undersigned counsel as follows:

11 The parties (Plaintiffs and Defendants) agree that the materials produced by THE RIGHT  
12 STEP shall be considered "Confidential Material" as the term is utilized throughout the Stipulated  
13 Protective Order (Doc. 76) and given all protections identified therein. The parties (Plaintiffs and  
14 Defendants) agree to treat THE RIGHT STEP's production confidentially as if THE RIGHT STEP  
15 were a party to this lawsuit and party to the Stipulated Protective Order.

16  
17 Dated this 28<sup>th</sup> day of April, 2015.

Dated this 28<sup>th</sup> day of April, 2015.

18 LEWIS BRISBOIS BISGAARD & SMITH LLP

19 By: /s/ Alayne Opie  
20 S. Brent Vogel  
Nevada Bar No. 006858  
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26 .  
27 ...

STIPULATION REGARDING DOCUMENTS  
PRODUCED BY THE RIGHT STEP  
IN RESPONSE TO SUBPOENA

*Welch v. Narconon et al.*; 2:14-cv-00167-JCM-CWH

Dated this 28<sup>th</sup> day of April, 2015

Dated this 28<sup>th</sup> day of April, 2015.

BAKER, KEENER & NAHRA, LLP

BAKER HOSTETLER

By: /s/ Robert Baker

By: /s/ Matthew Caligur

Robert C. Baker

Matthew W. Caligur

Baker, Keener & Nahra, LLP

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and

*Counsel for The Right Step*

Robert McBride

CARROLL, KELLY, TROTTER,

FRANZEN, MCKENNA & PEABODY

701 North Green Valley Pkwy, Suite 200

Henderson, Nevada 89074

*Attorney for Narconon International*

*and Association For Better Living*

*And Education International*

**ORDER**

IT IS SO ORDERED.

DATED: April 30, 2015

  
United States Magistrate Judge

# EXHIBIT A

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
(HOUSTON DIVISION)

DAVID WELCH, A TEXAS CITIZEN, *et al.*,

Plaintiff,

v.

NARCONON FRESH START D/B/A  
RAINBOW CANYON RETREAT, A  
CALIFORNIA CORPORATION, *et al.*,

Defendant.

Civil Action No. 2:14-cv-00167  
(Pending in District of Nevada)

**OBJECTIONS OF THIRD PARTY THE RIGHT STEP TO DEFENDANT NARCONON  
FRESH START'S SUBPOENA TO TESTIFY AT A DEPOSITION OR TO PRODUCE  
DOCUMENTS IN A CIVIL ACTION**

Third party The Right Step ("TRS"), through its counsel, pursuant to Rule 45(d)(2)(B) of the Federal Rules of Civil Procedure, hereby states the following objections and responses to Defendant's Subpoena to Testify at a Deposition or to Produce Documents in a Civil Action dated March 4, 2015 ("Subpoena"):

**GENERAL OBJECTIONS**

1. The following general objections ("General Objections") shall apply to each paragraph of the Subpoena unless the response expressly states otherwise.

2. TRS objects to the Subpoena's instructions to the extent that they deviate from or conflict with, or impose a greater obligation than that set forth in the Federal Rules of Civil Procedure and applicable Local Rules.

3. TRS objects to the Subpoena's instruction that TRS must designate to testify at a deposition the "Person(s) Most Knowledgeable" regarding the topics therein. This instruction imposes a greater obligation than set forth in Rule 30(b)(6) of the Federal Rules of Civil

Procedure, which requires TRS to designate a person that can “testify about information known or reasonably available to the organization.”

4. TRS objects to “Exhibit A” of the Subpoena because none of the terms are defined, and as such, all of the requests are vague and ambiguous.

5. TRS objects to “Exhibit A” of the Subpoena because no relevant time period is provided and, as such, all of the requests are overly broad and unduly burdensome.

6. TRS also objects to the Subpoena to the extent that the requested documentation involves confidential information, including, but not limited to, proprietary information, trade secrets, competitive business information, financial, or private personal information, which TRS is not required to produce and/or is precluded from producing pursuant to applicable rules and regulations. Moreover, it does not appear that a protective order is in place to protect any such confidential information.

7. TRS objects to producing any documents that would reveal confidential, proprietary, or trade secret information of TRS.

8. TRS objects to the Subpoena to the extent it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

9. TRS objects to the Subpoena to the extent that it purports to require TRS to provide information or produce documents not within its possession, custody or control, and further objects to all requests that purport to require TRS to create documents not already in existence.

10. TRS objects to the Subpoena to the extent that it requires TRS to produce documents which are already in the possession, custody, or control of the parties to this litigation, or their agents, attorneys, or representatives, or that are publicly-available. As a non-

party, TRS should not be required to assume the burden and expense of collecting, reviewing, and producing documents that either Defendant or Plaintiff can obtain from each other.

11. TRS objects to the Subpoena to the extent that it is overly broad, unduly burdensome, potentially duplicative, and not reasonably calculated to lead to the discovery of relevant, admissible evidence.

12. TRS objects to being put to the burden of responding to this Subpoena because it is duplicative of a previous subpoena to which TRS has already responded to in this matter, by producing responsive documents and presenting Mark Chapman for deposition.

13. TRS objects to the Subpoena to the extent that it is not narrowly tailored so as to avoid imposing undue burden or expense on TRS as required by Rule 45(d)(1) of the Federal Rules of Civil Procedure.

### **SPECIFIC OBJECTIONS**

Subject to and without waiving the foregoing General Objections, TRS specifically objects and responds to the Subpoena's requests as follows:

**Request No. 1:** The Right Step's success rate. This includes, but is not limited to, what the success rate was for the inpatient rehabilitation program for the past five years, the current success rate, how The Right Step defines "success." The method in which The Right Step determines its success rate (i.e. how The Right Step calculates its success rate, etc.), the length of time The Right Step follows up with former patients to determine their sobriety status, analysis on The Right Step's success rate (if any), comparison of The Right Step's success rate with other rehabilitation programs (if any), the reliability of The Right Step's success rate, advertising of The Right Step's success rate.

**Response:** TRS objects to Request No. 1 because the terms and phrases "success rate," "inpatient rehabilitation program, "sobriety status," "success rate with other rehabilitation programs," and "reliability of...success rate" are undefined and are vague and ambiguous. The Request fails to state with reasonable particularity the specific documents sought. The Request also is overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of



admissible evidence. TRS further objects to this Request to the extent that it purports to require TRS to produce documents containing information that is confidential, proprietary, trade secret, competitive business information, financial, or confidential personal information.

**Request No. 2:** The content of the treatment program Jack Welch aka Jacob Hudkins aka Jack Hudkins aka Jacob Welch (DOB: 04.18.1994) was enrolled at The Right Step. This includes, but is not limited to, any and all references to a “higher power,” how The Right Step defines a “higher power,” the education/instruction/information patients are provided regarding a “higher power,” and why a “higher power” is incorporated into The Right Step program; programs/groups/meetings which incorporate spiritual and/or religious aspects, i.e. meditation, yoga, individual prayer, group prayer, or others; all aspects of “spirituality awareness” activities (as advertised on [www.rightstep.com](http://www.rightstep.com)); religious accommodations made available to patients, i.e. transportation to a church of their choosing, dedicated prayer time, or other accommodations; fundamentals of the 12-step program which The Right Step utilizes that are based upon religious aspects and the reasons for incorporating them into the program.

**Response:** TRS objects to Request No. 2 because the terms and phrases “treatment program,” “higher power,” “spiritual and/or religious aspects,” and “religious accommodations” are undefined and are vague and ambiguous. The Request fails to state with reasonable particularity the specific documents sought. The Request is overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. TRS also objects because this Request is not limited to a specific time period, and as such, is overly broad and unduly burdensome. Finally, TRS further objects to this Request to the extent that it purports to require TRS to produce documents containing information that is confidential, proprietary, trade secret, competitive business information, financial, or confidential personal information.

Dated: March 17, 2015

Respectfully submitted,

BAKER & HOSTETLER LLP

By: /s/ Matthew W. Caligur  
Matthew W. Caligur  
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**ATTORNEYS FOR THE RIGHT  
STEP**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 17th day of March, 2015, a copy of the foregoing Objections of The Right Step to Defendant's Third Party Subpoena to Testify at a Deposition or to Produce Documents in a Civil Action was served on the following counsel of record:

**Via Certified Mail # 7012 1010 0003 7432 8555**

Alayne Opie, Esq.  
Lewis Brisbois Bisgaard & Smith  
6385 South Rainbow Blvd., Suite 660  
Las Vegas, Nevada 89118

*Attorneys for Defendant*

/s/ Matthew W. Caligur  
Matthew W. Caligur

# EXHIBIT B

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6 [alayne.opie@lewisbrisbois.com](mailto:alayne.opie@lewisbrisbois.com)  
*Attorneys for Defendant Narconon Fresh*  
7 *Start dba Rainbow Canyon Retreat ("Fresh Start")*

8 UNITED STATES DISTRICT COURT  
9  
10 FOR THE DISTRICT OF NEVADA

11 DAVID WELCH, a Texas Citizen; STACY  
12 WELCH, a Texas Citizen; and JACK WELCH,  
13 a Texas Citizen,

14 Plaintiffs,

15 vs.

16 NARCONON FRESH START d/b/a  
RAINBOW CANYON RETREAT, a  
17 California Corporation; ASSOCIATION FOR  
BETTER LIVING AND EDUCATION  
18 INTERNATIONAL; NARCONON  
INTERNATIONAL  
19 and DOES 1-100, ROE Corporations I-X,  
inclusive,

20 Defendants.  
21

CASE NO. 2:14-cv-00167-JCM-CWH  
Dept. No.: 3

**STIPULATED PROTECTIVE ORDER**

22 IT IS HEREBY **STIPULATED AND AGREED** by and between the undersigned counsel  
23 as follows:

24 **1.0 GENERAL INFORMATION:**

25 1.1 Definitions - As used in this Order, the word:

26 1.1.1 "Party" or "Parties" shall include *Plaintiffs* DAVID WELCH, STACY  
27 WELCH, JACK WELCH, and *Defendants* NARCONON FRESH START dba

RAINBOW CANYON RETREAT, NARCONON INTERNATIONAL, ASSOCIATION FOR BETTER LIVING AND EDUCATION INTERNATIONAL, and each of their/its/his/her employees, agents, representatives, and attorneys (including both outside counsel and inside counsel).

1.1.2 "Person(s)" shall include any "Party" to this action, whether an individual, corporation, partnership, company, unincorporated association, governmental agency, or other business or governmental agency.

1.1.3. "Confidential Material" shall mean any and all confidential or proprietary documents, data, or information provided in response to written discovery requests, subpoena, deposition testimony, or otherwise produced. All Confidential Materials shall be Bates stamped and marked as confidential with a watermark or legend.

1.1.4. "Discovering Party" shall mean the Party who has requested documents designated as Confidential Material under this Stipulated Protective Order or is in possession of documents designated as Confidential Material.

1.1.5 "Producing Party" shall mean the Party who has produced documents designated as Confidential Material under this Stipulated Protective Order.

1.1.6 "Fresh Start" shall mean Narconon Fresh Start dba Rainbow Canyon Retreat.

1.1.7 "NI" shall mean Narconon International.

1.1.8 "ABLE" shall mean Association For Better Living And Education International.

1.1.9 "Defendants" shall mean Narconon Fresh Start dba Rainbow Canyon Retreat, Narconon International and Association For Better Living And Education International.

1.1.10 "Licensing Agreement" shall mean the License Agreement dated May 14, 2001, by and between Narconon International and Narconon Southern

California, Inc. previously disclosed and identified as LICENSE-00001-9.

1.2 Trade Secrets and Proprietary Information:

Defendants contend that documents designated as Confidential Material represent and/or reflect trade secrets or other confidential and proprietary research, development or commercial information. The Parties agree Defendants have a legitimate interest in protecting trade secrets, or other confidential and proprietary research, development or commercial information, including those which Fresh Start has been granted the non-exclusive right and license to use pursuant to the Licensing Agreement. The Parties agree the protections within this agreement are adequate.

1.3. Nature of this Stipulated Protective Order:

The nature of this Stipulated Protective Order is to protect the Parties' confidential information, including, Defendants' business interests in their own intellectual property, information, and processes. Furthermore, the nature of this Stipulated Protective Order is protect Fresh Start from any liabilities that arise out of the Licensing Agreement. Defendants contend that disclosure of their trade secrets, confidential or proprietary information or any of those referenced in the Licensing Agreement, could cause irreparable and significant harm to Fresh Start, Narconon International, Association For Better Living And Education, and their affiliates. This Stipulated Protective Order is intended to prevent this foreseeable harm and any related unforeseeable harm.

1.4 Public Health & Safety Not At Issue:

The documents and information at issue do not involve the public health and safety, a public entity, or issues important to the general public.

1.5 Good Faith Discovery Cooperation:

It is the purpose of this Stipulated Protective Order and the desire of the Parties to make the broadest range of reasonably relevant documents available to the Parties, without waiving any trade secrets, privilege, or otherwise proprietary information,

while protecting all Parties interests', while adhering to the Licensing Agreement, and without subjecting the Parties and the Court to numerous discovery motions.

1.6 Reliance on this Agreement:

The Parties agree to limit dissemination of any documents and information as set forth in this Stipulated Protective Order and are materially relying on the representations and covenants contained within.

**2.0 SCOPE, RELIANCE AND PURPOSE:**

2.1 It is a purpose of this Stipulated Protective Order that Defendants will be provided reasonable assurance that:

2.1.1 The documents or information produced by Defendants will be used in this litigation and this litigation only and similar litigation involving the same Defendants and counsel only;

2.1.2 The documents or information produced by Defendants will not be used for commercial purposes;

2.1.3 The documents or information produced by Defendants will not be used for non-litigation purposes.

2.2 The Parties are relying on this Stipulated Protective Order, and would not have produced the documents and information otherwise.

2.3 The Parties' production under this Stipulated Protective Order does not admit or concede the documents or information are relevant or admissible in this litigation.

2.4 This Stipulated Protective Order survives the end of the above-styled litigation.

2.5 The Parties agree good cause exists for this Stipulated Protective Order and for the Court to enter this Order.

2.6 Compliance with this Stipulated Protective Order will be a material term to any settlement agreement reached in this case.

**3.0 PRODUCTION OF DOCUMENTS:**

3.1 Any documents produced, produced for inspection and/or made available for copying

1 in this action by any Party to this litigation or any third parties whether before or after  
2 the date of entry of this Order may be designated Confidential Material. Such a  
3 designation shall be made by placing a watermark or legend inscribing the word  
4 "Confidential" on the face of each page of each document so designated. In the event  
5 a book is produced, the material shall be designated as Confidential Material by placing  
6 a watermark or legend inscribing the word "Confidential" on the front cover of the  
7 book. Thereafter, if any single page from the book is duplicated, the individual pages  
8 shall be designated Confidential Material by placing a watermark or legend inscribing  
9 the word "Confidential" on each page of the document so designated.

10 3.2 Such Confidential Materials in whole or in part or in any form, and the information  
11 within, may be used and disclosed solely for the preparation and trial of this litigation  
12 only, including all appeals. Copies of any discovery designated "Confidential" shall  
13 only be provided to parties or persons as identified within this Stipulated Protective  
14 Order.

15 3.3 The Parties and their counsel agree to use reasonable efforts not to disclose the  
16 information to any third person or entity whatsoever, except to (the following are  
17 collectively referred to as "Qualified Person(s)");

- 18 a. counsel of record in this action on behalf of a Party to this litigation;
- 19 b. employees or agents of counsel including regularly employed support  
20 staff, paralegal and clerical personnel who have a direct responsibility  
21 for assisting such counsel in the preparation and trial of litigation,  
22 including appeals;
- 23 c. outside consultants and experts and their employees or agents retained  
24 by counsel or any Party to this litigation for the purpose of assisting in  
25 the preparation and trial of this litigation, including appeals;
- 26 d. the United States District Court, District of Nevada, ("the Court"), and  
27 court personnel, including stenographic reporters regularly employed



by the Court;

e. stenographic or video reporters who are otherwise engaged in such proceedings as are necessarily incident to the conduct of this litigation;

f. witnesses or prospective witnesses requested by counsel to give testimony or otherwise to prepare for any deposition, hearing, trial or other proceeding in this litigation.

Any person or group of people who do not each meet the criteria of a Qualified Person as defined above, shall be deemed to be a "non-qualified person" or "non-qualified persons."

#### **4.0 DEPOSITIONS**

Deposition testimony concerning any Confidential Material shall be designated as Confidential Material under the terms of this Stipulated Protective Order. The court reporter shall note on the record the designation of Confidential Material and shall separately transcribe those portions of the testimony so designated and shall mark the face of such portion of the transcript as "Confidential Material." The Parties may use Confidential Material during any deposition provided the witness is apprised of the terms of this Stipulated Protective Order and executes the AGREEMENT TO BE BOUND BY PROTECTIVE ORDER REGARDING CONFIDENTIAL INFORMATION, attached as Exhibit "A." The Parties may use Confidential Material during a deposition only if the room is first cleared of all non-qualified persons.

#### **5.0 CONTESTING THE DESIGNATION OF CONFIDENTIAL MATERIAL**

In the event that any Party desires to contest the designation of any documents, information, or testimony as Confidential Material, that Party shall, after requesting and being denied re-designation within a timely manner, shall file an objection with the Court and request a hearing on the matter. At such hearing, the Party designating the information as Confidential Material shall have the burden to establish that Party's right to protection of the Confidential Material. All such documents, information or testimony shall be treated as Confidential Material until the Court makes a decision regarding the status of the documents, information and testimony.

**7.0 VIEWING OF DOCUMENTS BY THIRD PARTIES:**

The Parties agree and acknowledge that before disclosing any Confidential Material to a Qualified Person, as defined above in Section 3.3(c) of this Stipulated Protective Order, the Party shall provide to the Qualified Person a copy of this Stipulated Protective Order and each Qualified Person shall execute a copy of the attached AGREEMENT TO BE BOUND BY PROTECTIVE ORDER REGARDING CONFIDENTIAL INFORMATION. The executed copy of Exhibit "A" shall be retained by the attorney who has disclosed the Confidential Material to the Qualified Person.

**8.0 NO WAIVER BY INADVERTENT PRODUCTION:**

If any Confidential Material is inadvertently provided to a Discovering Party without being marked as Confidential in accordance with this Order, the failure to so mark the material shall not be deemed a waiver of its confidentiality, privilege, or right to object.

**9.0 RETURN OF DOCUMENTS AT END OF LITIGATION:**

Within ten (10) days after the final settlement or termination of action, it is the obligation of the Discovering Party to return or destroy all Confidential Material provided by the Producing Party. The Discovering Party shall return or destroy all Confidential Material, including all copies, notes, tapes, papers and any other medium containing, summarizing, excerpting, or otherwise embodying any Confidential Material, except that the Discovering Party shall be entitled to destroy, rather than return (a) any Confidential Material stored in or by data processing equipment and (b) work product memoranda or pleadings embodying Confidential Material, subject to State Bar rules. The Discovering Party will confirm in writing to the Producing Party its compliance with this Section 9.0.

**10.0 PHOTOCOPYING PROHIBITED BEYOND THIS LITIGATION:**

The Confidential Material shall not be photographed, photocopied or reproduced in any manner except in preparation of or otherwise related to this litigation.

**11.0 PUBLICATION PROHIBITED:**

The Confidential Material shall not be published or reproduced in any manner on the Internet, blogs, bulletin boards, email, newspapers, magazines, bulletins, or other media available publicly or privately. Likewise, persons may not verbally share the Confidential Material to non-qualified

persons.

**12.0 ALL DOCUMENTS REVEALED TO THE COURT SHALL BE SEALED:**

All motions or other documents filed with the Court, if any, which reveal, include, attach or make reference to any portion of the Confidential Material shall be filed in accordance with the Federal Rules of Civil Procedure and shall be considered Confidential Material governed by the terms of this Stipulated Protective Order.

**13.0 NON-WAIVER:**

This Stipulated Protective Order is not, and shall not be interpreted as, a waiver by any Party of any right to claim in this lawsuit or otherwise, that the documents or information are privileged or otherwise undiscoverable.

**14.0 VIOLATION OF ORDER:**

Upon an alleged violation of this Stipulated Protective Order, the Court on its own motion or on the motion of any Party may grant relief as it deems appropriate in law or equity. Should any provision of this Stipulated Protective Order be struck or held invalid by a court of competent jurisdiction, all remaining provisions shall remain in full force and effect.

Dated this 6<sup>th</sup> day of February, 2015.

Dated this 6<sup>th</sup> day of February, 2015.

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: /s/ Alayne Opie  
S. Brent Vogel  
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Alayne M. Opie  
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*Attorneys for Defendant Narconon Fresh  
Start dba Rainbow Canyon Retreat ("Fresh Start")*

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Dated this 6<sup>th</sup> day of February, 2015

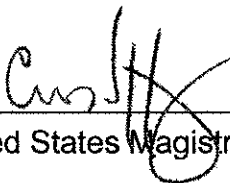
BAKER, KEENER & NAHRA, LLP

By: /s/ Robert Baker  
Robert C. Baker  
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633 West 5<sup>th</sup> Street, Suite 5500  
Los Angeles, California 90071  
and  
Robert McBride  
CARROLL, KELLY, TROTTER, FRANZEN, MCKENNA & PEABODY  
701 North Green Valley Pkwy, Suite 200  
Henderson, Nevada 89074  
*Attorney for Narconon International  
and Association For Better Living  
And Education International*

**ORDER**

Based upon the foregoing Stipulation, and good cause appearing therefore,  
IT IS HEREBY ORDERED that the Parties have entered into a STIPULATED  
PROTECTIVE ORDER governing production of documents.  
IT IS FURTHER ORDERED that the Parties shall be bound by the Stipulated Protective  
Order.

DATED: February 9, 2015

  
United States Magistrate Judge

Respectfully submitted by:  
LEWIS BRISBOIS BISGAARD & SMITH LLP

By: /s/ Alayne Opie  
S. Brent Vogel, NV Bar 6858  
Alayne M. Opie, NV Bar 12623  
6385 S. Rainbow Boulevard, Suite 600  
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*Attorneys for Defendant Narconon Fresh  
Start dba Rainbow Canyon Retreat ("Fresh Start")*

**EXHIBIT "A"**

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DAVID WELCH, a Texas Citizen; STACY  
WELCH, a Texas Citizen; and JACK WELCH,  
a Texas Citizen,

Plaintiffs,

vs.

NARCONON FRESH START d/b/a  
RAINBOW CANYON RETREAT, a  
California Corporation; ASSOCIATION FOR  
BETTER LIVING AND EDUCATION  
INTERNATIONAL; NARCONON  
INTERNATIONAL  
and DOES 1-100, ROE Corporations I-X,  
inclusive,

Defendants.

CASE NO. 2:14-cv-00167-JCM-CWH

Dept. No.: 3

**AGREEMENT TO BE BOUND BY PROTECTIVE ORDER REGARDING  
CONFIDENTIAL INFORMATION**

I hereby attest to my understanding that information or documents designated as Confidential Material and the information contained therein are provided to me pursuant to the terms and conditions and restrictions of the STIPULATED PROTECTIVE ORDER entered in the above-styled case. I have been given a copy, read, and understand the STIPULATED PROTECTIVE ORDER. I agree to be bound by it, and consent to the personal jurisdiction of the Court that signed the STIPULATED PROTECTIVE ORDER, for enforcement.

I further agree that I shall not disclose to others in any manner, except in accordance with the STIPULATED PROTECTIVE ORDER, any Confidential Material as defined in that agreement, and that such Confidential Material shall be used only for the purposes of the captioned legal proceeding. I understand that the unauthorized disclosure of Confidential Material could result in the violation of the rights to privacy, and/or serious economic harm to the party providing the Confidential Material

1 which could continue to cause harm even after the termination of that legal proceeding. I further  
2 agree and attest to my understanding that, in the event that I fail to abide by the terms of that  
3 STIPULATED PROTECTIVE ORDER, I may be subject to sanctions, including sanctions by way  
4 of contempt of court, imposed by the Court for such failure.

5  
6  
7 \_\_\_\_\_  
Signature

Date

8  
9 \_\_\_\_\_  
Name printed

**CERTIFICATE OF SERVICE**

Pursuant to FRCP 5(b), I certify that I am an employee of Lewis Brisbois Bisgaard & Smith LLP and that on this 6<sup>th</sup> day of February 2015, I did cause a true copy of **STIPULATED PROTECTIVE ORDER** to be placed in the United States Mail, with first class postage prepaid thereon, and addressed as follows:

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/s/ Erin Adams  
An Employee of Lewis Brisbois Bisgaard & Smith LLP